App F IX 4

1146 P

Previous References

1936
gnl

File No 131 - 36

Serial Nos 1, 2

gnl 76 - 35 - Sls A 8, 51 69, 70

Letter References

gnl 17 7

ML 107 - 39 (2, 3)

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for Aug 37

SUBJECT

Free grant of a site to Mr Hussain Khan at Chuckrallapatty town

Sl 2) To

The Muzrai Commr
No L 1418 dated 6 8 37

WD 0418—GPB—22 500—29 8 36

Directs that the Gift deed should be drafted in accordance with the revised terms

5/8/37

n at Chikballapur Town

Revenue Secretariat | M File No 131 of 1936-37 | App F III

Serial No

Letter No C 929/36-37 dated 15/18th May 1937 from the Muzrai Commissioner requesting further instructions from Govt in the matter of enforcing Mr Hussain Khan of Chikballapur town to execute a formal document (Gift) regarding the payment of the rent realised from the Urdu Middle School building at Chikballapur x the Masjid at the town

1 Submitted for perusal

2 If approved, the Law Section will be consulted in the matter in the first instance

DW for 25/5/37

3 Yes. (L 10) 27/5

Law Section 27/5/37

283 Law BMA 35

4 The ultimate desire of Mr Hussain Khan was to provide a source of income to the Masjid the construction of a building for the Urdu School and leasing it out to the Education Department were one means to that end & Govt therefore think that so far as the building is concerned, his title to the property has to be recognised Subject however to the condition that the rent realised from the building, should be given

Contn Sheet

WD 0417 GPE—30 000—8 9 36

Serial No

The Municipal Vice Chairman probably gains support from a perusal of the G.O (Flag) which, while approving the free grant of the site to Mr Hussein Khan, has directed that the grant of the rent levied from the said building to the Municipal should be made in a more formal document This G.O shows that the Government recognises its right to the rent only and not to the building itself

5th Coming to the Conditions set forth in the petition of Mr Hussein Khan, I think that Conditions (a) and (b) are not objectionable Regarding condition (c), an annual repair to the building is necessary, and how much should be spent for the purpose is a matter of decency and prudence, and any reasonable amount may be fixed I think however that Conditions (d) and (e) are not acceptable Mr Hussein Khan should not expect to have full control over the rent when the amount is earmarked for the Municipal, it is the Municipal Department that must have control of the funds and it may therefore be arranged that the

Free grant of a site to Mr Hussany Khan at Chuckbalapur Town 5162

General and Revenue Secretariat | Ml File No 131 of 1936 37 | [App F III—2

Serial No

Education Department or any other tenant occupying the building, should credit the rent to Municipal Accounts Condition (f) also seems unnecessary

BDHR 27 3 37

Asst Secy L S G Dept W C

6 The above View may be communicated to the Mun Comm As an alternative, the donor may perhaps execute a limited deed in favour of the Municipality as the would ensure that the proceeds from the building will be utilised for the Museum

41/37

Lm 27/3/37

7) Asst Secy

8) Secretary

MAV 27 3 37 27/3/37

I do not think that the Dept of Education can undertake to occupy the building and pay rent for it, in perpetuity on the conditions mentioned in clauses (a) & (c) If the Dept does not want the building at any time, the donor may lease it to Mun Comm and have rent to the Municipality

NOTE—Contn Sheet

OFFICE OF THE EXECUTIVE COUNCIL 27 MAR 1937 No 773

W D 0417—GPB—80 000—8 9 36

Re- grant of a Site to Mr Hussenkhan at Chikballapur 5162

File No 4 of 193

General and Revenue Secretariat

Serial No

If he fails to or his heirs fail to abide by the undertaking, it should be open to the Govt to take charge of the building and lease it out, utilising the rent for the purposes of the mosque

9) Revised terms as above may be drafted if the party accepts them, well & good Otherwise he must pay the full value of the Site

Sd
28/7/37

10) [illegible]
28/7

11) 29/7/37

12) As per instructions contained in Paras 8 and 9 of the notes supra a Draft letter to the Rev (Missn) Secy is put up for appl

Sd 30/7

30/7/37

Secy L S 9)

[illegible]
31/7

29/7/37

TYPING SECT
31 JUL 1937
REVENUE SECTT

The Mysore commissioner
No S 1418 dated 6/8/37
Directs that the Sift deed should be drafted in accordance with the revised terms suggested to the Rev (Missn) Secy by Govt

B
Sd
7/8/37

ncl 131-36-1

M C 13] No C 929/36-37 dre are

OFFICE OF THE MUZRAI COMMISSIONER
MYSORE

Bangalore 15th May 1937

5162

From K V ANANTARAMAN Isq BA
Muzrai Commissioner in Mysore

To M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government of His Highness the Maharaja of Mysore

20 MAY

Development *Department*

SIR

Free grant of a site to Mr Hussain Khan at Chickballapur Town

E

With reference to G O No L 5167-70/M1 76-35-70 dated 19-1-1937 B sanctioning the free grant of sites Nos 3, 4, 5 and 6 near the Petrol Pump on condition of his putting up of a pucca building at his own cost for the Urdu Middle School which the Education Department has offered to take on a monthly rent of Rs 30 which the donor intends ear-marking for the benefit of the Jumma Masjid in the Town, I have the honor to state that as per 2nd para of the Government Order, the Deputy Commissioner was requested to report the action taken re the taking of a more formal document for the endowment of the rent to the Masjid by the donor

2 The Deputy Commissioner states that Mr Hussain Khan is willing to execute a document, but he wants to include the conditions set forth in his petition addressed to the Municipal President, Chickballapur, which is herein enclosed These conditions are not acceptable, as they virtually make Mr Hussain Khan, the absolute owner of the building Besides, he wants to have full control over the rent which he promises to spend for the Jumma Masjid after deducting about two months' rent for repairs etc

3 As the gift is not absolute and is qualified by conditions which are not acceptable, I request the favour of further instructions

in the matter

I have the honor to be,

Sir,

Your most obedient servant,

M N Bhandalkar

Assistant Commissioner
For Mazrai Commissioner
(Absent from headquarters)

Appendix F G—1]

SUBJECT

Section Ml
File No 131-36
Serial No 2

Diary No of letter replied to

No L/1418

To

The Munsif Comr. Bangalore.

General and Revenue Secretariat

( )

the *193*

Sir,

Date of issue 6/8/37

Signed by M. H. C. Khan

With refer to your letter No C 929 36-37 dated 15th 18th May 1937, requesting further instructions ~~for~~ in the matter of enforcing Mr. Hussain Khan, Proprietor Star Motor Service, Chikballapur to execute a formal document regarding the payment of rent realised from the Erippa ~~Sch~~ Middle School building at Chikballapur to the local Masjid

List of enclosures

Copied by

Examined by

with reference to the above I am directed to state that Government at the Depth of Rs cannot undertake to occupy the Buildings and pay rent for it in perpetuity

on the conditions mentioned in clauses
(a) & (c), ~~as per enumerated in~~ of the letter dated 24/3/37
addressed by Mr Hussein Khan ~~Sahib~~
to the President of the Tumkur D.B. Chikballapur
If the Edn Dept does not want the
building at any time, the donor
may lease it to others and hand
over the rent to the Nazrat of the
donor or his heirs fail to abide
by the undertaking it should be
open to the Dy Comr, Kolar, to take charge
of the building and hire it out,
utilising the rent for the purpose of the
Mosque
I am ~~to~~ request you to ~~move~~ me
~~the terms of the deed to draft~~
instruct the D.D. Khan to have
the Gift deed drafted in accordance
with the revised terms indicated
above If the party accepts them, further action may be taken accordingly.
~~otherwise~~, otherwise, he may
be directed to pay the full
Value of the sites granted to him
for ~~fact~~ Constructing the Middle school.

I have etc

Sd/- Secy to Govt
Edn Dept

DL

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No L 1418/B
H 131-32-2

Dated Bangalore 4th August 1937

From

The Secretary to the Government of His Highness the Maharaja of Mysore

Local Self Government Department

To

The Muzrai Commissioner in Mysore,
Bangalore

Sir

With reference to your letter No C.929/36-37 dated 15/18th May 1937 requesting further instructions in the matter of enforcing Mr Hussain Khan, Proprietor Star Motor Service, Chikballapur to execute a formal document regarding the payment of rent realised from the Urdu Middle School building at Chikballapur to the local Masjid, I am directed to state that Government consider that the Department of Education cannot undertake to occupy the building and pay rent for it in perpetuity on the conditions mentioned in clauses (a) and (c) of the letter dated 24th March 1937 addressed by Mr Hussain Khan to the President of the Town Municipal Council, Chikballapur If the Education Department does not want the building at any time, the donor may lease it to others and hand over the rent to the Masjid If the donor or his heirs fail to abide by the undertaking it should be open to the Deputy Commissioner, Kolar to take charge of the building and hire it out, utilising the rent for the purpose of the Mosque

I am therefore to request you to instruct the Deputy Commissioner Kolar to have the gift deed drafted in accordance with the revised terms indicated above If the party accepts them, further action may be taken accordingly, otherwise, he may be directed to pay the full value of the sites granted to him for constructing the Middle Schoo

I have the honour to be,
Sir,
Your most obedient servan

Mir Safdar Hussain

for Secretary to Government L S G Dept.